

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JOSEPHUS M. PETAWAY,	)	CASE NO. 4:11CV02529
	)	
Plaintiff,	)	
	)	JUDGE BENITA Y. PEARSON
v.	)	
	)	
VINCENT BURTON.,	)	
	)	<b><u>MEMORANDUM OF OPINION AND</u></b>
Defendant.	)	<b><u>ORDER</u></b> (Resolving ECF No. 4)

This matter is before the Court upon *Pro se* Plaintiff Josephus Petaway's Motion to Rescind February 14, 2012 Order to Deduce \$350.00 Filing Fee. [ECF No. 4](#). The Court notes that the docket reflects that Plaintiff paid the full filing fee of \$350.00 on December 9, 2011. Petaway's motion, therefore, is well taken.

Accordingly, Plaintiff's Motion to Rescind is granted ([ECF No. 4](#)). The Court further orders that its Order dated February 14, 2012 is vacated.

IT IS SO ORDERED.

February 23, 2012  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge